THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 24069 of 2005

Date: 23-06-2006.

Between :

P. Sasidhar.

…..Petitioner

And

Director General of Police, Hyderabad & others.

…..Respondents.

THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 24069 of 2005

ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

This writ petition has been filed for production of Smt. Shantamma (hereinafter referred to as 'the detenue'), the mother of the petitioner, who was working as Foreman in the office of the Assistant Director of Sericulture, Shadnagar, Mahaboobnagar District. She was aged 53 years and was missing from 02.06.2005 and her whereabouts were not known to anybody in her office or home.

The petitioner submits that Jadcharla Police wanted to arrest him for various cases in which he was not involved. There was much pressure from the Police to arrest the petitioner to implicate him in certain offences, therefore, he surrendered before the Court and the Court sent him to judicial remand. While he was in judicial remand, his mother and wife used to visit him in jail. On

31.05.2005, his mother visited him in jail and spent some time with him. Thereafter, she did not visit the jail. His wife, who went to the parents' house on 27.05.2005, returned from Kurnool on 06.06.2005 to Mahabubnagar. She found that the house was locked. She went to meet the petitioner in jail and informed him that the house was locked. He sent his wife back and asked her to go to the place where his mother was working as Foreman. The employees there told his wife that his mother collected her salary on 01.06.2005, but from 02.06.2005, she had not attended the duties. She had not even applied for leave. His wife returned and met him in the jail and told him about it. He got worried about his mother. Then he sent his wife and brother-in-law to Shadnagar to report to the 3rd respondent about the missing of his mother. His wife and brother-in-law gave a report to the

3rd respondent on 10.06.2005. Respondent No.3 did not take any action in the matter and in fact, the 3rd respondent would say that since the missing person is mother of a criminal, Police were not required to give any attention to her. On 02.10.2005, on Gandhi Jayanthi, the District Collector and the A.S.P. visited the jail, Mahabubnagar. He gave a written complaint to them and specifically requested them to investigate the matter, but nothing was done.

Counter has been filed by respondent No.3 and as usual, it is stated that all steps were taken to locate the person missing, but they have not been able to do it. His enquiries with respondent Nos.4 to 6 revealed that respondent No.4 had borrowed a sum of rupees two lakhs about 4 ½ years back from the missing woman and repaid rupees one lakh only. Still he owes rupees one lakh to the missing woman. It is stated that Respondent No.4's involvement in the disappearance of the missing woman is not established.

Respondent No.5 who was also suspected by the petitioner, was not traced by the Police. Respondent No.6 also was not traced, as according to the Police, he was absconding as he was accused in a murder case.

Since there were allegations that the petitioner had given a report to the Additional Superintendent of Police and also to the District Collector, the Superintendent of Police, Mahabubnagar also filed an affidavit. We had passed certain interim orders on 20.03.2006 and the Superintendent of Police contended that he had constituted three teams to trace the missing woman, but so far, the missing woman was not found.

In this view of the matter, we allow the writ petition and direct the Superintendent of Police, Mahabubnagar

District to take all measures that are necessary to locate the missing woman and produce her in the Court as and when found. He shall also depute an officer for the purpose of monitoring the progress in searching the missing woman and file a report before the Registrar (Judicial) of this Court every month.

Writ petition is accordingly allowed.

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(BILAL NAZKI, J)

23rd June 2006

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(G. CHANDRAIAH, J)

ajr